

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
JANUARY 17, 1968

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, January 17, 1968, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, HUNNELL,
WALTON and KIRSTEN (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant City Manager Peterson, Planning Director Schroeder, and City Attorney Mullen.

PLEDGE Mayor Kirsten led the Pledge of Allegiance to the Flag.

MINUTES Minutes of January 3, 1967 were approved as written and mailed on motion of Councilman Hunnell, Culbertson second.

PUBLIC HEARINGS

ORDER VACATING EASEMENT IN ELMHAVEN SUBD. Public hearing on the intention to vacate the easement between Lots 37 and 38, Elmhaven Subdivision having been continued from the meeting of January 3, 1968; Mayor Kirsten asked for the recommendation of the Planning Commission. The City manager stated the Planning Commission recommended vacation of this easement. There was no one present who wished to speak in favor of or against the abandonment. On motion of Councilman Brown, Walton second, the City Council adopted its Order vacating an easement being the South 5 feet of Lot 37 and the North 5 feet of Lot 38, Elmhaven Subdivision.

APPEAL - J. B. ATKINSON RE FAMILY TYPE BILLIARD PARLORS Mr. Graves reported that the appeal of Attorney James B. Atkinson which had been scheduled for public hearing at this meeting had been withdrawn. Mr. Atkinson had appealed the decision of the Planning Commission in denying family type billiard parlors in areas zoned C-1, Neighborhood Commercial.

PLANNING COMMISSION

CITY-COUNTY PLANNING REFERRALS The Planning Commission recommended approval of the request of the San Joaquin County Board of Supervisors that the various city councils and planning commissions adopt a policy statement concerning City-County Planning Referrals. The City Manager read the policy statement as adopted by the San Joaquin Board of Supervisors which reads as follows:

"(1) The City and County will exchange all minutes, agendas and newsletters of commissions, board of adjustments and zoning administrative hearings.

(2) The County will refer for comment all applications for reclassifications, use permits and tentative subdivisions which appear within the general plan area of the City. The City shall transmit those applications which adjoin unincorporated territory.

(3) The County will refer all general plan or specific plan proposals within the City's General Plan area. The City will refer all general plan or specific planning proposals.

Minutes of January 17, 1968, continued

Staff discussions will be held prior to the formalization of any proposal for commission consideration.

(4) All property owners regardless of whether they reside in or out of the City will receive notification of public hearings pursuant to the adopted codes of both City and County.

"Upon receipt of the various communications, planning directors of the respective cities or County shall submit a technical report referring to adopted policies, prior plans or regulations which may affect the proposal being considered by the jurisdiction involved.

"The Director shall use his judgement in reviewing applications and shall only make a comment where the request is a significant change or has a significant effect on the jurisdiction's planning program.

"In matters which are of major concern or effect adopted plans and policies, the respective commission will consider a delay so that full consideration may be made by the Planning Commission or legislative body. This procedure is necessary so that the affected applicant or jurisdiction will not have unnecessary delay but would be fully informed of the application's effect on existing policies and programs of the various jurisdictions." After a short discussion, Councilman Culbertson moved that the City Council adopt the City-County Planning Referral Policy as submitted by the County Board of Supervisors. The motion was seconded by Councilman Hunnell and carried unanimously.

TREES -
POPLAR ST.

The Planning Director reported that the Planning Commission will have a recommendation for the Council meeting of February 21 regarding the preservation of trees on the south side of Poplar Street from Garfield Street to Cherokee Lane in conjunction with the development of the Lodi Union Academy property.

City Manager Graves read the report from the Planning Commission outlining the following actions taken at its meeting of January 8, 1968:

1. Denied the request of Mr. David C. Paul for a change in zoning from the R-3, Limited Multiple Family Residential zone to the R-4, Multiple-Family Institutional Residential zone for three parcels located at 704 and 708 North Church Street and 117 Forrest Avenue.
2. Denied the request of Heath and Company for Denny's Restaurant for a variance to increase the allowable sign area from 258 square feet to 558 square feet to permit the erection of two double-faced signs on a parcel on the north side of East Kettleman Lane between the U. S. 50-99 Freeway and Cherokee Lane in an area zoned C-2, General Commercial.

3. Approved the request of Mrs. Maggie Hagele for a use permit for a home to care for not more than four mentally-retarded children in an existing dwelling at 119 East Locust Street in an area zoned "M" Industrial.
4. Approved the request of L. and H. Development Company, Incorporated, for approval of an amended plot plan for a proposed shopping center on the block bounded by West Turner Road on the north, North Sacramento Street on the east, Louie Avenue on the South, and North Church Street on the west in an area zoned C-C, Commercial Shopping.

COMMUNICATIONS

APPEAL -
SIGN VARIANCE
HEATH CO.

A letter was read from Heath and Company on behalf of Denny's Restaurant appealing the decision of the City Planning Commission in denying their request for a variance to increase the allowable sign area from 258 square feet to 558 square feet on a parcel on the north side of East Kettleman Lane between the U.S. 50-99 Freeway and Cherokee Lane in an area zoned C-2, General Commercial zone. On motion of Councilman Brown, Walton second, the matter was set for public hearing on February 7, 1968.

CITY OF COMMERCE
RE CIGARETTE
TAX DISTRIBUTION

Mr. Graves presented a letter from the City of Commerce urging cities to request the Board of Directors of the League of California Cities to take no action on the issue of distribution of cigarette taxes to cities. After discussion, it was moved by Councilman Walton, that the Council endorse the proposed formula (one-half taxable sales and one-half population) as recommended by the League Committee on Revenue and Taxation. Motion seconded by Councilman Brown and carried.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$454,304.80 were approved on motion of Councilman Walton, Culbertson second.

AWARD -
12,000-VOLT
TRANSFORMERS

The following bids were received on the 12,000-Volt Overhead Distribution Transformers:

RES. NO. 3145

R-T-E Corporation	\$22,033.20
Consolidated Elec. Distrib.	23,157.75
Valley Electric Co.	23,923.20
Maydwell & Hartzell, Inc.	24,505.95
Westinghouse Electric Supply Co.	24,600.91
General Electric Supply Co.	26,038.85

Mr. Graves recommended that award be made to the low bidder. On motion of Councilman Hunnell, Culbertson second, the City Council adopted Resolution No. 3145 awarding the contract on the 12,000-Volt Overhead Distribution Transformers to the low bidder, R-T-E Corporation in accordance with their bid.

AWARD -
ALUMINUM
CABLE

The following bids were received on the aluminum cable:

RES. NO. 3146

Valley Electric Co.	\$28,698.39
General Electric Supply	30,881.13
Consolidated Electric	31,080.71
Westinghouse Elec. Supply	31,769.87

Mr. Graves recommended that award be made to the low bidder. On motion of Councilman Walton, Brown second, the City Council adopted Resolution No. 3146 awarding the contract on the aluminum cable to the low bidder, Valley Electric Company for the amount of the bid.

ASSESSMENT
DIAGRAM-CORINTH
AVE. STREET LIGHT
DISTRICT
RES. NO. 3147
City Manager Graves presented the Assessment Diagram for the Corinth Avenue Street Lighting District. On motion of Councilman Culbertson, Hunnell second, the City Council adopted Resolution No. 3147 approving the Assessment Diagram.

APPLICATION -
CATV FRANCHISE
Mr. Graves presented a draft of a Notice inviting application for CATV franchise which the City Attorney had prepared and which had been received by the Council prior to the meeting. Applications must be submitted in writing to the City Manager's Office by February 13, 1968 at 11:00 a.m. in the manner and form specified in Ordinance No. 855.

PROGRESS REPORT-
HAM-LODI AVE.
INTERSECTION
City Manager Graves read the progress report from the Director of Public Works regarding the Lodi Avenue-Ham Lane intersection which the Council had requested at its meeting of January 3, 1968. According to the report, the storm drain and sanitary sewer work was 93% complete and the street improvement work was 12% complete as of December 31, 1967. Approximately 25% more of the street improvements has been completed which leaves a considerable amount yet to be completed. The contractor has indicated that he will complete all of the work at the intersection by February 2. Both the Public Works Director and City Manager feel it is unlikely this date will be met.

DRIVE-UP
MAIL BOX -
HAM LANE
RES. NO. 3148
Mr. George Jahnelt, postmaster, and Dr. W. J. Coffield, chairman of the Civics Affairs Committee, Lodi Chamber of Commerce, have requested that a drive-up snorkel-type mail collection box be installed on North Ham Lane adjacent to the Lakewood Shopping Center. The Public Works Director recommended that the present red zone of 27 feet be extended 23 feet south for a total of 50 feet thereby allowing for easy access to and from the mailbox. He recommended the request be approved. After discussion, the Council, on motion of Councilman Walton, Brown second, adopted Resolution No. 3148 approving the installation of the drive-up mail box on North Ham Lane adjacent to the Lakewood Shopping Center.

LAFD -
SPHERES OF
INFLUENCE
Councilman Culbertson, chairman of the San Joaquin County Local Agency Formation Commission, said that the LAFD had sent material regarding spheres of influence to the city councils and the Board of Supervisors for their review and recommendations. He stated the purpose of establishing spheres of influence is to avoid unnecessarily duplicating lines and services. Councilman Culbertson felt it will take quite some time to develop these spheres and this is only the discussion level. He discussed the possibility of establishing green belts in areas where urbanization is not desired. After discussion, it was decided to continue until the next meeting.

P.S. BLDG.-
OPEN AREA-WAYS
Councilman Walton expressed concern in regards to the open area-ways at the rear of the Public Safety Building. He felt they are an attractive nuisance and steps should be taken to correct the situation.

F. BROWN
OUTSTANDING
CITIZEN
AWARD

Mayor Kirsten expressed that the Council takes pride and pleasure in Councilman Brown being the recipient of the "Outstanding Citizen Award" presented by the Chamber of Commerce at its annual dinner.

ACREAGE FEE
STUDY

Councilman Culbertson requested a staff study regarding equalization of utility charges. After discussion, Councilman Culbertson moved the staff make a study of equalization of utility charges and report to the Council in three months. The motion was seconded by Councilman Hunnell and carried.

ADJOURNED

There being no further business, the meeting was adjourned at 10:13 p.m.

Bessie L. Bennett

Attest: BESSIE L. BENNETT
Deputy City Clerk